



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ४, अंक ३८]

मंगळवार, मे १५, २०१८/वैशाख २५, शके १९४०

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असाधारण क्रमांक ७९

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधि व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra Self-financed Schools (Establishment and Regulation) (Amendment) Act, 2017 (Mah. Act No. XXXIX of 2018), is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

RAJENDRA G. BHAGWAT,

I/c. Secretary (Legislation) to Government,
Law and Judiciary Department.

MAHARASHTRA ACT NO. XXXIX OF 2018.

(First published, after having received the assent of the Governor in the "Maharashtra Government Gazette". on the 15th May 2018).

An Act further to amend the Maharashtra Self-financed Schools
(Establishment and Regulation) Act, 2012.

WHEREAS, it is expedient further to amend the Maharashtra
Mah. I Self-financed Schools (Establishment and Regulation) Act, 2012, for the
of 2013. purposes hereinafter appearing; it is hereby enacted in the Sixty-eighth Year
of the Republic of India as follows :—

1. This Act may be called the Maharashtra Self-financed Schools Short title.
(Establishment and Regulation) (Amendment) Act, 2017.

- Amendment of section 2 of Mah. I of 2013. **2.** In section 2 of the Maharashtra Self-financed Schools (Establishment and Regulation) Act, 2012 (hereinafter referred to as “the principal Act”),— Mah. I of 2013.
- (1) before clause (a), the following clause shall be inserted, namely :—
- “(1-a) “Authority” means the State Level Authority and Field Level Authorities appointed under sub-section (1) of section 6 of the Act;”;
- (2) after clause (g), the following clause shall be inserted, namely :—
- “(g-1) “registered company” means a company registered under the provisions of section 8 of the Companies Act, 2013;”;
- (3) clause (m) shall be deleted.
- Amendment of section 3 of Mah. I of 2013. **3.** In section 3 of the principal Act,—
- (1) for sub-section (1), the following sub-sections shall be substituted, namely :—
- “(1) Any registered company or a registered trust or a registered society or a local authority desirous of establishing a new school, such as primary or upper-primary or secondary or higher secondary, or up-gradation of the existing school to upper-primary or secondary or higher secondary school, as the case may be, shall submit the application online in the format as provided in Schedule A alongwith the documents as specified in Schedule B. The application shall be accompanied with such fees as the State Government may by order, specify, from time to time.
- (1A) The process of submitting online application under sub-section (1) shall remain available continuously throughout the year.”;
- (2) in sub-section (5), for the words “If, any registered trust” the words “If, any registered company or a registered trust” shall be substituted;
- (3) the proviso to sub-section (5) shall be deleted.
- Amendment of section 4 of Mah. I of 2013. **4.** In section 4 of the principal Act,—
- (1) in sub-section (1), for the words “Any registered trust” the words “Any registered company or a registered trust” shall be substituted;
- (2) the proviso to sub-section (1) shall be deleted.
- Amendment of section 5 of Mah. I of 2013. **5.** In section 5 of the principal Act, in sub-section (1), for the words “registered trust” the words “registered company or a registered trust” shall be substituted.
- Substitution of section 6 of Mah. I of 2013. **6.** For section 6 of the principal Act, the following section shall be substituted, namely :—
- “**6.** (1) The State Government shall appoint the State Level Authority and the Field Level Authorities as may be required for accepting and scrutiny of applications.
- (2) The procedure for appointment of the State Level Authority and Field Level Authorities shall be such as may be prescribed.
- (3) The powers and duties and the procedure to be followed for transacting the business of the State Level Authority and the Field Level Authorities shall be such as may be prescribed.”.
- Appointment of State Level Authority and Field Level Authorities.

- 7.** In section 7 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely :—
 “(1) The State Government may, on the basis of report of the State Level Authority or otherwise, grant or refuse the permission to establish a new school applied for or to up-grade an existing school.”. Amendment of section 7 of Mah. I of 2013.
- 8.** In section 8 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely :—
 “(1) The procedure for communicating the decision to the applicant, regarding grant or refusal of the permission with reference to application made under section 3 shall be such as may be prescribed.”. Amendment of section 8 of Mah. I of 2013.
- 9.** In section 9 of the principal Act, the words “except English,” shall be deleted. Amendment of section 9 of Mah. I of 2013.
- 10.** In section 12 of the principal Act, in sub-section (1), for the words “Any registered trust” the words “Any registered company or a registered trust” shall be substituted. Amendment of section 12 of Mah. I of 2013.
- 11.** In section 14 of the principal Act, in sub-section (2), for the words “such trust” the words “such company or trust” shall be substituted. Amendment of section 14 of Mah. I of 2013.
- 12.** In section 15 of the principal Act,—
 (1) in sub-section (1),—
 (a) for the words “Any registered trust” the words “Any registered company or a registered trust” shall be substituted;
 (b) for the words “such trust” the words “such company, trust” shall be substituted;
 (2) in sub-section (3), for the words “The registered trust” the words “The registered company or registered trust” shall be substituted. Amendment of section 15 of Mah. I of 2013.
- 13.** In section 16 of the principal Act, for the words “any registered trust” the words “any registered company or registered trust” shall be substituted. Amendment of section 16 of Mah. I of 2013.
- 14.** In SCHEDULE A appended to the principal Act,—
 (1) for entry (1), the following entry shall be substituted, namely :—
 “(1) Name of the Applicant- A Registered Company or a Registered Trust or a Registered Society or a local authority.”;
 (2) for entry (9), the following entry shall be substituted, namely :—
 “(9) Copy of certificate of registration of company or trust or society or details of local authority.”;
 (3) for entry (10), the following entry shall be substituted, namely :—
 “(10) (a) Copy of the Memorandum of Association or Trust Deed or Scheme :
 (b) Details of the Directors of company, trustees, members of managing committee and their addresses.”; Amendment of SCHEDULE A of Mah. I of 2013.

(4) in entry (11), for sub-entries (a) and (b), the following sub-entries shall be substituted, namely :—

“(a) Registered land in the name of the company or trust or society:

(b) Registered Lease Deed or registered agreement of thirty years or more in the name of the company or trust or society.”;

(5) for entry (12), the following entry shall be substituted, namely :—

“(12) Area of land available—

(a) Minimum 500 Square meters in areas of all Municipal Corporations and in areas of all A Grade Municipalities in the State:

(b) Minimum one acre in remaining all areas.”.

Amendment of SCHEDULE B of Mah. I of 2013. **15.** In SCHEDULE B appended to the principal Act, for entry (2), the following entry shall be substituted, namely :—

“(2) Copy of Memorandum of Association or Trust Deed or Scheme, in case of company or trust or society, as the case may be.”.